



CITY COUNCIL MEETING MINUTES

September 24, 2019

City Council Chambers 400 East Military, Fremont NE

REGULAR MEETING – 7:00 P.M.

PUBLIC COMMENT – 6:30 P.M.

MINUTES

REGULAR MEETING:

1. Meeting called to order. After Public Comment and the Pledge of Allegiance, the Mayor called the meeting of the City Council to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.
2. Roll call. Roll call showed Council Members McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. 8 Councilmembers present.
3. Mayor comments
(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

PUBLIC HEARINGS:

4. Resolution 2019-189 for a conditional use permit to allow a private campground at 797 North County Rd 19 & 839 N. County Rd 19, on property generally located South of Lake #20, Fremont, State Lakes. Council Member Legband moved, seconded by Council Member Jensen to receive updated Resolution 2019-189 into the record. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Jensen moved, seconded by Council Member Kuhns to approve Resolution 2019-189 as received into the record. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
5. Resolution 2019-188 for a conditional use permit to allow agricultural crops planted and cultivated in residential zoning inside the City limits at SunRidge Place, generally located at between Military Avenue, Jack Sutton Drive, Luther Road & Johnson Drive. Council Member Yerger moved, seconded by Council Member Jacobus to receive into the record an e-mail from Alan Fanning titled "Resolution 2019-188". Ayes: McClain, Ellis, Bechtel, Yerger, Jensen, Jacobus. Nays: Kuhns, Legband. Motion carried. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Yerger moved, seconded by Council Member Jacobus to continue the item. Ayes: Ellis, Yerger, Jensen, Jacobus. Nays: Legband, Bechtel, Kuhns, McClain. Motion failed. Council Member Kuhns moved, seconded by council Member Legband to approve Resolution 2019-188. Ayes: McClain, Ellis, Kuhns, Bechtel, Legband. Nays: Yerger, Jensen, Jacobus. Motion carried.
6. Resolution 2019-191 authorizing application and approval of Community Development Block Grant Emergent Threat Disaster Funds and authorizing Mayor to sign contract(s). Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Legband moved, seconded by Council Member Kuhns to approve Resolution 2019-191. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

CONSENT AGENDA: Moved by Council Member McClain seconded by Council Member Jensen to approve

items 8, 10, 11 and 13 of the consent agenda. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

8. Dispense with and approve September 10, 2019 City Council Meeting Minutes
10. Consideration of excavation/asphalt/concrete license application(s)
11. Motion to cancel and reschedule the second City Council meeting in December 2019
13. Resolution 2019-194 authorizing the purchase a 2020 Freightliner M2 106 dump truck from the State of Nebraska Contract

ITEMS REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION:

7. Motion to approve September 11, 2019 through September 24, 2019 claims and authorize checks to be drawn on the proper accounts. Council Member Jacobus moved, seconded by Council Member McClain to approve September 11, 2019 through September 24, 2019 claims and authorize checks to be drawn on the proper accounts. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
9. Resolution 2019-192 approving the request of Trinity Lutheran School to close streets for the third annual Run for Warriors 5K and 10K on Saturday November 9, 2019. Council Member Legband moved, seconded by Council Member McClain to receive updated Street Closure Agreement. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Yerger moved, seconded by Council Member Jensen to approve Resolution 2019-192 with updated agreement. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
12. Resolution 2019-193 to approve Vierregger Electric Company Final Acceptance of Project of Phase II of the Traffic Signal Improvements Project, Final Pay Application No. 5, and Final Change Order No. 1. Council Member Jensen moved, seconded by Council Member Jacobus to approve Resolution 2019-193. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
14. Resolution 2019-195 approving a Farm Lease Agreement for 2020 with Denis Anderson for properties near the airport. Council Member Kuhns moved, seconded by Council Member Jacobus to approve Resolution 2019-195. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
- 14b. Resolution 2019-197 authorizing the Mayor to sign outside fire contracts 2019-2020. Council Member Jacobus moved, seconded by Council Member Legband to approve Resolution 2019-197. Ayes: McClain, Ellis, Kuhns, Bechtel, Jensen, Jacobus, Legband. Nay: Yerger. Motion carried.

UNFINISHED BUSINESS: requires individual associated action

15. Ordinance 5503 establishing rate schedules for sewer use by customers of the municipal sewer system (second reading). Council Member Yerger moved, seconded by Council Member Jacobus to receive rate spreadsheet. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Kuhns moved, seconded by Council Member McClain to hold second reading of Ordinance 5503. Ayes: McClain, Ellis, Kuhns, Bechtel, Jensen, Jacobus, Legband. Nay: Yerger. Motion carried. City Clerk provided second reading of the Ordinance.
16. Ordinance 5504 establishing rate schedules for electricity consumed by customers of the municipal electric system (second reading). Council Member Yerger moved, seconded by Council Member Jensen to receive rate spreadsheet. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jensen moved, seconded by Council Member Legband to hold second reading of Ordinance 5504. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband.

Motion carried. City Clerk provided second reading of the Ordinance.

NEW BUSINESS: requires individual associated action

17. Resolution 2019-198 waiving the competitive bid process (sole source purchase) and authorizing the purchase of one Stryker Power-Load and one Power Cot from Stryker Medical. Council Member Yerger moved, seconded by Council Member McClain to approve Resolution 2019-198. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
- 17b. Resolution 2019-199 authorizing the Mayor to sign the cover sheet of the Draft Environmental Assessment, (EA) document for the 23rd Street Viaduct Project. Council Member Legband moved, seconded by Council Member Jensen to receive into the record a map titled "West 23rd Street Overpass". Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jacobus moved, seconded by Council Member Yerger to continue the item to the next City Council Meeting. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
19. Motion to receive September 10, 2019 traffic committee report. Council Member Yerger moved, seconded by Council Member McClain to receive September 10, 2019 traffic committee report. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
 - a. Ordinance 5505 to approve speed limits in SunRidge Addition. Council Member Jacobus moved, seconded by Council Member Jensen to amend Ordinance 5505 to reduce the SunRidge speed limit from 30 to 25 miles per hour. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jensen moved, seconded by Council Member Jacobus to introduce and hold first reading of the Ordinance. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. City Clerk provided first reading.
 - b. Resolution 2019-200 to approve stop signs. Council Member Yerger moved, seconded by Council Member Jacobus to continue Resolution 2019-200 to the next meeting. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
22. Resolution 2019-190 committing fund balance for large Capital Improvement Projects in future years and for Immigration Ordinance defense and implementation/ enforcement. Council Member Jacobus moved, seconded by Council Member Legband to approve Resolution 2019-190. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
23. Motion to authorize Mayor to sign contract with MainStreet Fremont for promotional services. Council Member Jacobus moved, seconded by Council Member Jensen to receive document with the title "Downtown Renaissance". Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Bechtel moved, seconded by Council Member Kuhns to authorize Mayor to sign contract with MainStreet Fremont for promotional services. Ayes: McClain, Kuhns, Bechtel, Jensen, Legband. Nays: Ellis, Yerger, Jacobus. Motion carried.
24. Resolution 2019-201 of the City Council of the City of Fremont, Nebraska, accepting the home at 20 W 10th Street as a gift from the Friends of the Library, a Trust and authorize the Mayor to execute all related documents. Council Member Kuhns moved, seconded by Council Member Yerger to approve Resolution 2019-201. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
25. Resolution 2019-202 of the City Council of the City of Fremont, Nebraska, accepting the home at 1025 N Park Avenue as a gift from the Friends of the Library, a Trust and authorize the Mayor to execute all related documents. Council Member Yerger moved, seconded by Council Member Legband to approve Resolution 2019-202. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

26. Adjournment. Moved by Council Member Jensen seconded by Council Member Kuhns to adjourn the meeting. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Meeting adjourned at 11:28 p.m.

APPROVED AND ACCEPTED THIS 8TH DAY OF OCTOBER AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR SEPTEMBER 24, 2019.



Tyler Ficken, City Clerk



Scott Getzschman, Mayor